

SENATE JOINT RESOLUTION NO. 9

INTRODUCED BY TESTER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING FEDERAL FUNDS FOR REHABILITATION OF THE ST. MARY DIVERSION FACILITIES AND URGING THE SUPPORT AND LEADERSHIP OF THE MONTANA CONGRESSIONAL DELEGATION.

WHEREAS, the Milk River Project was authorized in 1903 as one of five initial projects for the newly created U.S. Reclamation Service; and

WHEREAS, the St. Mary Diversion Dam and Canal (St. Mary diversion facilities) were authorized in 1905; and

WHEREAS, construction of the St. Mary diversion facilities was started in 1906 and the facilities started delivering water in 1916; and

WHEREAS, the St. Mary diversion facilities deliver nearly the entire water supply to Montana's Milk River Basin; and

WHEREAS, the Milk River would go dry 6 out of every 10 years without the St. Mary diversions; and

WHEREAS, the regional economy of the Milk River Basin has developed around the Milk River Project and the water supplied through the St. Mary diversion facilities; and

WHEREAS, the regional economy of the Milk River Basin represents a significant part of the Montana economy including agriculture; and

WHEREAS, recreational and wildlife benefits have evolved as a result of the Milk River Project; and

WHEREAS, municipal water supplies are dependent upon the continued operation of the St. Mary diversion facilities; and

WHEREAS, the Fort Belknap Reserved Water Rights Compact is predicated upon the continued operation of the St. Mary diversion facilities; and

WHEREAS, operation of the St. Mary diversion facilities has significantly impacted land, wildlife, and water resources of the Blackfeet Tribe; and

WHEREAS, current operations of the St. Mary diversion facilities impact critical habitat for the threatened bull trout; and

1 WHEREAS, the St. Mary diversion facilities are operating well beyond their design life; and

2 WHEREAS, the risk of a catastrophic failure of key structures increases for each year of operation; and

3 WHEREAS, cost estimates of repair and replacement far exceed the ability of current contract holders
4 to pay expenses using operation and maintenance revenue; and

5 WHEREAS, the St. Mary diversion facilities are owned and operated by the United States; and

6 WHEREAS, the United States is not taking the lead to rehabilitate the St. Mary diversion facilities with
7 a cost-share mechanism in a timely manner; and

8 WHEREAS, the State of Montana, the Blackfeet Tribe, and other parties with interest in the Milk River
9 have formed the St. Mary rehabilitation working group to identify a workable solution to rehabilitation and
10 replacement of the St. Mary diversion facilities.

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12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
13 THE STATE OF MONTANA:

14 (1) That the Montana Legislature strongly supports the rehabilitation of the St. Mary diversion facilities
15 and the work of the St. Mary rehabilitation working group.

16 (2) That Congress is requested to immediately appropriate nonreimbursable funds for the State of
17 Montana to complete engineering and environmental investigations necessary to proceed with the rehabilitation
18 of the St. Mary diversion facilities.

19 (3) That Congress is requested to immediately appropriate nonreimbursable funds for the State of
20 Montana to construct a new bridge across the St. Mary River on the Blackfeet Reservation for safety and
21 rehabilitation reasons.

22 (4) That the U.S. Department of the Interior is requested to work with the State of Montana, the
23 Blackfeet Tribe, and residents in the Milk River Basin in their efforts to rehabilitate these critical structures and
24 improve management of the Milk River Basin.

25 (5) That Congress is requested to appropriate money with an appropriate cost-share mechanism,
26 recognizing the ability of residents in the Milk River Basin to provide financial support, for construction and
27 rehabilitation of the St. Mary diversion facilities.

28 (6) That the Montana Congressional Delegation is requested to make attainment of congressional and
29 federal support for rehabilitation of the St. Mary diversion facilities its utmost priority.

30 BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to Montana's

- 1 Congressional Delegation, the Governor of Montana, the Blackfeet Tribe, the Fort Belknap Tribe, and the St.
- 2 Mary rehabilitation working group.
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